

Appl. No. 10/658,736  
Amdt. dated April 3, 2009  
Reply to Office Action of January 5, 2009

**RECEIVED  
CENTRAL FAX CENTER**

**APR 03 2009**

**Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims**

1-19. (canceled)

20. (previously presented) A method of treating the spine of a patient, comprising:  
inserting an access device through an incision in the skin of the patient generally posteriorly until a distal portion of the access device is located adjacent the spine of the patient, said access device being inserted in a first configuration having a first cross-sectional area at the distal portion thereof;

actuating said access device to a second configuration having an enlarged cross-sectional area at said distal portion thereof that spans at least a portion of a first vertebra, a second vertebra, and a third vertebra;

placing a fusion device through the access device and in at least one of a first interbody space between the first and second vertebrae and a second interbody space between the second and third vertebrae;

performing a two level fixation procedure spanning the first and second interbody spaces through the access device by inserting at least one fastener into each of the first, second, and third vertebrae and attaching an elongated member to the fasteners, wherein the fastener includes a screw and a U-shaped housing adapted to receive a joint region of the screw and the elongated member, wherein the housing and joint region are configured to allow movement of the housing relative to the screw to achieve a desired orientation of the elongated member with respect to the housing;

advancing a decompression tool through the access device; and

removing a portion of bone from one of the first vertebrae, the second vertebrae, and the third vertebrae through the access device.

21. (original) The method of Claim 20, wherein the portion of bone removed comprises a portion of a facet.

Appl. No. 10/658,736  
Amdt. dated April 3, 2009  
Reply to Office Action of January 5, 2009

22. (original) The method of Claim 20, wherein the portion of bone removed comprises a portion of a lamina.

23. (original) The method of Claim 20, further comprising placing a bone growth substance through the access device and adjacent at least one of the first interbody space and the second interbody space to enhance bone growth therebetween.

24. (previously presented) A method of treating a spine of a patient, comprising:  
inserting an access device through an incision in the skin of the patient generally posteriorly until a distal portion of the access device is located adjacent the spine of the patient, said access device being inserted in a first configuration having a first cross-sectional area at the distal portion thereof;

actuating said access device to a second configuration having an enlarged cross-sectional area at said distal portion thereof that spans at least a portion of a first vertebra, a second vertebra, and a third vertebra;

placing a fusion device through the access device and in at least one of a first interbody space between the first and second vertebrae and a second interbody space between the second and third vertebrae;

inserting two or more fasteners through the access device and into at least two of said first, second, and third vertebrae, each fastener including a screw and a housing, the housing having a pair of upright members forming grooves therebetween shaped to receive an elongated member;

inserting the elongated member through the access device and into the housing grooves of each fastener;

moving each housing relative to its associated screw to achieve a desired orientation; and

placing a bone growth substance through the access device and adjacent at least one of the first interbody space and the second interbody space to enhance bone growth therebetween.

25. (original) The method of Claim 24, further comprising:  
advancing a decompression tool through the access device; and

Appl. No. 10/658,736  
Amdt. dated April 3, 2009  
Reply to Office Action of January 5, 2009

removing a portion of bone from one of the first vertebrae, the second vertebrae, and the third vertebrae through the access device.

26. (previously presented) The method of Claim 25, wherein the portion of bone removed comprises a portion of a facet.

27. (previously presented) The method of Claim 25, wherein the portion of bone removed comprises a portion of a lamina.

28. (previously presented) A method of treating the spine of a patient, comprising:  
inserting an access device through an incision in the skin of the patient generally posteriorly until a distal portion of the access device is located adjacent the spine of the patient, said access device being inserted in a first configuration having a first cross-sectional area at the distal portion thereof;

actuating said access device to a second configuration having an enlarged cross-sectional area at said distal portion thereof that spans at least a portion of a first vertebra, a second vertebra, and a third vertebra;

placing a fusion device through the access device and in at least one of a first interbody space between the first and second vertebrae and a second interbody space between the second and third vertebrae;

performing a two level fixation procedure spanning the first and second interbody spaces through the access device, said two level fixation procedure including:

inserting three or more fasteners through the access device and into the first, second, and third vertebrae, each fastener including a screw and a U-shaped housing configured to receive an elongated member;

inserting the elongated member through the access device and into the housings;

moving each housing relative to its associated screw to achieve a desired orientation;

advancing a decompression tool through the access device; and

removing a portion of a facet from one of the first vertebrae, the second vertebrae, and the third vertebrae through the access device.

Appl. No. 10/658,736

Amdt. dated April 3, 2009

Reply to Office Action of January 5, 2009

29. (previously presented) A method of treating a spine of a patient, comprising:  
inserting an access device through an incision in the skin of the patient generally posteriorly until a distal portion of the access device is located adjacent the spine of the patient, said access device being inserted in a first configuration having a first cross-sectional area at the distal portion thereof;

actuating said access device to a second configuration having an enlarged cross-sectional area at said distal portion thereof that spans at least a portion of a first vertebra, a second vertebra, and a third vertebra;

inserting two or more fasteners through the access device and into at least two of said first, second, and third vertebrae, each fastener including a screw and a U-shaped housing configured to receive an elongated member;

inserting the elongated member through the access device and into the housings;

temporarily securing the elongated member to the housings;

moving each housing relative to its associated screw to achieve a desired orientation;

placing a fusion device through the access device and in at least one of a first interbody space between the first and second vertebrae and a second interbody space between the second and third vertebrae;

placing a bone growth substance through the access device and adjacent at least one of the first interbody space and the second interbody space to enhance bone growth therebetween;

advancing a decompression tool through the access device;

removing a portion of a facet from one of the first vertebrae, the second vertebrae, and the third vertebrae through the access device; and

permanently securing the elongated member to the housings.

30-32. (canceled)